

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

**FTC Capital Markets, Inc.,
FTC Emerging Markets, Inc., also d/b/a FTC Group,
Guillermo David Clamens,
Lina Lopez a/k/a Nazly Cucunuba Lopez,**

Defendants.
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ECF Case

09 Civ. 4755 (PGG)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/2/11</u>
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SCHEDULING ORDER

The Securities and Exchange Commission (the "Commission") having moved for an Order approving the Commission's proposed Distribution Plan and appointing John J. Graubard as Fund Administrator thereunder, and it appearing to the Court that notice of such motion should be provided to all parties of record and to the "FTC Creditors" and "FTC Investors" as defined in the proposed Distribution Plan, it is hereby:

ORDERED, that on or before June 10, 2011, the Commission shall send by first class mail a copy of (a) the Commission's motion, (b) the Commission's proposed Distribution Plan, and (c) this Order, to all parties of record in this action and to all known FTC Creditors and FTC Investors.

FURTHER ORDERED, that on or before June 6, 2011, the Commission shall post a copy of such documents on its website, www.sec.gov, to provide notice to unknown FTC Creditors and FTC Investors.

FURTHER ORDERED, that any opposing affidavits, declarations, memoranda of law, or other documents be served on the Commission at the following address:

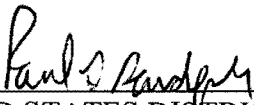
Jack Kaufman, Senior Trial Counsel
Securities and Exchange Commission
Northeast Regional Office
3 World Financial Center, Room 400
New York, NY 10281-1022

and filed with the Court on or before June 24, 2011, and that any reply papers be served and filed with the Court on or before July 1, 2011.

FURTHER ORDERED, that all documents identifying the name or address of any FTC Creditor or FTC Investor shall not be filed on the Court's ECF filing system but shall be filed under seal with the Clerk. The Commission shall prepare a redacted copy of such documents and shall file the redacted copy on the Court's ECF filing system. The Commission shall file, under seal, a schedule identifying each known FTC Creditor and FTC Investor and assigning each a number, which number shall be used to identify such FTC Creditor or FTC Investor in any publically available documents filed herein.

FURTHER ORDERED, that if no objections are filed on or before the date set forth above, the Court will consider this matter on the Commission's motion papers. If objections are filed, the Court will hold a hearing on such objections at 3 p.m. on July 19, 2011 in Courtroom 6B, United States Courthouse, 500 Pearl Street, New York, NY 10007.

Dated: New York, New York
June 1, 2011


UNITED STATES DISTRICT JUDGE

Notary Public
My commission expires:

SEC v. FTC Capital Markets, Inc. et al.
09 Civ. 4755 (PGG)

INVESTOR CLAIM FORM

Name and address of Claimant(s): Telephone Number/E-mail address of Claimant(s):

_____	_____
_____	_____

Please provide a list of all accounts maintained with FTC Capital Markets, Inc. and/or FTC Emerging Markets, Inc. d/b/a/ FTC Group (collectively the "Defendant Entities") and if required explain the relationship of Claimant(s) to account holder(s) (e.g. "beneficial owner of XXX Corporation, account holder" or "limited partner of XYZ, Ltd., account holder"):

Part 1: TO BE COMPLETED BY ALL CLAIMANTS

- A. I made the following principal investments with FTC Capital Markets and/or FTC Emerging Markets: (Please list each *outstanding* transfer of funds and/or securities separately. Please complete your response to Part 1.A. on supplemental pages, if necessary.)

<u>Date</u>	<u>Amount</u>	<u>Bank/Brokerage Account</u> ¹	<u>Method of Payment</u> ²	<u>Source of Payment</u> ³
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- 1/ Identify the financial institution where the payment was sent and provide the account name and number.
- 2/ E.g. wire transfer, check.
- 3/ Identify the financial institution that you sent the payment from and provide the account name and number.

SEC v. FTC Capital Markets, Inc., et al. Claim Form continued

TOTAL INVESTED: \$ _____

- B. I paid the following fees to FTC in connection with the account: (You may complete your response to Part 1.B. on supplemental pages, if necessary.)

<u>Period Covered by Fee</u>	<u>Date of Payment</u>	<u>Amount</u>	<u>Method of Payment</u> ⁴
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TOTAL FEES: \$ _____

- C. After I began investing with FTC, the following payments were made to me, for my benefit, or at my direction, by FTC or from accounts under FTC's control: (Please list each payment separately. You may complete your response to Part 1.C. on supplemental pages, if necessary):

<u>Date</u>	<u>Amount</u>	<u>Method of Payment</u> ⁵	<u>Recipient of Payment</u>
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TOTAL RECEIVED: \$ _____

^{4/} Indicate whether the payment was in the form of a transfer by you or a withdrawal or transfer by FTC from an account under FTC's control, in which case identify the account.

^{5/} E.g. wire transfer, check.

SEC v. FTC Capital Markets, Inc., et al. Claim Form continued

D. When I terminated my relationship with FTC and/or took control of the account(s) previously opened with FTC, the balance in the account(s) was:

<u>Account</u>	<u>Balance</u>	<u>Date of Change of Control</u>
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E. With respect to any funds allegedly mismanaged or misappropriated by FTC that have been recovered through any court action, arbitration, or insurance claim, state the amounts recovered (gross of fees or expenses); the extent to which the amounts include prejudgment interest and the date(s) from which such interest accrued; the dates of payment; the payors; and the amount of any costs or attorneys fees deducted from the amounts recovered; and identify the action (e.g. arbitration, civil forfeiture action; interpleader) resulting in the recovery; and produce copies of any award, agreement, or court order reflecting the recovery.

SEC v. FTC Capital Markets, Inc., et al. Claim Form continued

- F. I ____ do/ ____ do not affirm that other than the payments identified in response to Parts 1. C. and E., or the receipt of the balances in my accounts stated in Part 1.D., I have not received any payments from FTC, or in connection with investments under FTC's control, since I began investing with FTC.
- G. I ____ do/ ____ do not affirm that I/we (if investment(s) were jointly made) was/were not at any time during the period January 2007 through May 2009, aware of the true status of my/our investments with FTC or FTC's fraud upon any other customer.
- H. Claimant's Social Security number(s) or Taxpayer Identification number(s) is/are _____ or Claimant(s) is/are not subject to taxation by the United States or any state or municipality within the United States because _____

TOTAL LOSS CLAIMED: \$ _____

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA that I have examined the information provided in this Claim Form (including any supplemental pages or other material incorporated by reference), and to the best of my knowledge and belief, it is true, correct, and complete.

Executed on: _____
(Date)

(Signature)

(Spouse's or Joint Owner's
signature, if applicable)

Sworn to before me this ____ day of
_____, 2011.

Notary Public
My commission expires:

SEC v. FTC Capital Markets, Inc., et al. Claim Form continued**Part 2: TO BE COMPLETED IF PAYMENT IS TO BE MADE OTHER THAN TO CLAIMANT(S) IDENTIFIED ABOVE**

If Payee is different from Claimant, or if Claimant is submitting this claim in a fiduciary capacity (e.g., trustee, executor, administrator, custodian), check the appropriate box below and complete this section.

____ Trustee _____ Executor _____ Garnishee _____
 Successor
 _____ Administrator _____ Custodian _____ Other (explain) _____

Name of Payee _____

Payee's Social Security number or Taxpayer Identification number is _____ or Payee is not subject to taxation by the United States or any state or municipality within the United States because _____

 Current Street Address Apt/Suite No.

 City State Country Zip Code

 Daytime Phone No/Email address

I, _____ (print name of person signing form),
 DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA that, by completing and signing this form in a fiduciary capacity (e.g., trustee, executor, administrator, custodian), I represent that I am authorized and empowered by the advisory client(s) named above to submit this claim and accept payment as such.

Executed on: _____
 (Date) (Signature)

Sworn to before me this ____ day of _____, 2011.

 Notary Public
 My commission expires: